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October 5, 2009

Washington State Building Code Council
Attn: Peter DeVries, Council Chair
128 10th Avenue SW
Post Office Box 42525
Olympia, Washington 98504-2525

Re: 2009 International Fire Code and Washington State Energy Code

Dear Chairman DeVries and Council Members:

On behalf of the nearly 1,200 member companies the Spokane Home Builders Association represents, I would like to thank you for allowing us the opportunity to comment on the proposed changes to the 2009 International Fire Code and Washington State Energy Code.

2009 International Fire Code

Overview

Changes over the last 30 years in residential construction technology, improved building code requirements – especially for electrical and smoke alarm systems, as well as consumer behavior, concerted efforts by firefighters, home builders and other safety advocates, resulted in a dramatic drop in the number of fatal home fires.

New Homes Safer Than Ever Before

Newer homes are safer due to improvements like hardwired smoke detectors, improved electrical systems, better heating systems, insulation requirements, fire separation and firestopping and escape windows in all bedrooms. These features protect the home and occupants for the life of the home, unlike older homes that were not constructed with these important design features.

Smoke Alarms Work

A Johns Hopkins University study, paid for by the U.S. Fire Administration found 75% of residential fire deaths could be prevented by working smoke alarms. Smoke detectors have produced the greatest reduction in fire deaths in residential buildings by providing the early warning necessary for occupants to escape fire and deadly smoke.

Fire Deaths Continue to Decline

Home fires are decreasing as housing stock continues to increase. Between 1977 and 2007, the number of U.S. fire deaths declined 54% even as the population grew by more than 80 million people. This is further proof that smoke detectors and other design features are successful at preventing fire deaths.

Reliability of Fire Sprinklers Questionable

A 2009 report by the National Fire Protection Association (NFPA) found sprinklers did not operate or were not effective in 61% of fires occurring in one- and two-family homes. The report also states "fatal injury is possible even when sprinklers are present and operate." Requiring consumers to purchase costly equipment that has been proven to fail nearly two-thirds of the time does not seem to be a prudent course of action.

Extreme Temperatures Affect Fire Sprinkler Systems

In the many areas of our state, such as Spokane, the freezing temperatures cause fire sprinkler pipes to freeze and burst. Last December, Spokane Valley Fire Marshal Kevin Miller stated firefighters

responded to twenty calls related to broken pipes over a four-day period. Miller was quoted as saying, "It's not supposed to happen, but it does." He was also quoted as stating such problems should not be blamed on sprinkler installers.[1]

The article his quotes are derived from is just one of many similar reports written over the past several years. This will be an ongoing, troublesome, and costly problem for homeowners, firefighters, and insurance companies to contend with. Families whose homes are flooded will be displaced. Firefighters will be taken off task of focusing on more urgent matters to respond to an increased number of calls related to broken pipes. Insurance companies will be required to raise rates due to the increased number of water damage claims.

It is important to note fire sprinkler systems installed in commercial and multi-family residential structures are required to be inspected each year, and any maintenance issues must be remedied. Even with mandatory inspections and repairs, breakage still occurs. Homeowners will likely not go to the trouble or want to incur the cost of yearly inspection and maintenance, which will increase the likelihood of breakage. Some homeowners may choose to shut off the water to the system completely to avoid damage.

State Building Code Council (SBCC) Technical Advisory Group (TAG) Study

Fire sprinklers have always been an option when purchasing a new home, but consumers fail to acquire them. At the request of the Legislature, the SBCC Fire Sprinkler TAG thoroughly evaluated and identified barriers and made recommendations to address the roadblocks to voluntary installation of fire sprinklers. Prior to imposing new regulations, the SBCC should pursue the recommendations of the TAG and give them a chance to work.

Washington State Energy Code

Overview

Changes over the last 20 years in residential construction have produced a significant reduction in energy consumption. Homes built today are significantly more energy efficient than those built before 1990, and account for only a small percentage of total energy consumption. Home builders are now also pursuing opportunities to build even more energy efficient homes through voluntary programs such as the Inland Northwest Built Green® program.

Older Homes Are Less Efficient

According to the U.S. Department of Energy, an owner of a home built before 1990 can spend $2,500 on energy upgrades and reduce energy use by 30 percent. Seventy-two percent of homes in Washington State were built before 1990 and the enactment of the Washington State Energy Code (WSEC). Code changes could focus on updating older homes, not those homes that are already energy efficient.

Adoption of the International Energy Conservation Code

The SBCC has stated it will adopt the IECC by 2012. This means builders face energy code changes twice within the span of two to three years. Rather than making significant changes in such a short amount of time, it seems waiting to implement the IECC code would be a more logical choice.

Conclusion

Last year, the SBCC study on voluntary, private residential fire sprinkler systems found the actual costs of installation ranged from $1.50 to $8.50 per square foot. For a 2,000 square foot home, the cost to homebuyers would increase anywhere between $3,000 and $17,000. New homebuyers should not be forced to pay thousands of dollars for a fire sprinkler they may not want or cannot afford. The decision to install fire sprinklers is an individual choice that should not be mandated.

Home builders estimate the WSEC proposal will add $11,000 to $22,500 to the cost of a new home. Bureaucrats' estimates are substantially lower, but are based only on theoretical costs. No one involved in estimating the costs is a home builder. In addition, the bureaucrats' estimates exclude sales tax, real estate excise tax, commissions and overhead expenses.

[1] Spokesman Review, December 20, 2009: Harsh weather bursts pipes

Burdening potential homebuyers with additional, unnecessary costs will result in fewer people being able to afford a new home. According to a statistical report conducted by the National Association of Home Builders, for every $5,000 increase in the cost of a home, nearly 24,000 families in Washington State are priced out of the market. Those households are made up of working Washingtonians, such as sales clerks, young teachers, police officers and child care workers. With the weak economy and the home building industry already struggling, adding thousands of dollars to the price of a new home doesn't make sense.

The Spokane Home Builders Association respectfully requests the SBCC pursue the recommendations of the Fire Sprinkler TAG, and delay implementation of existing energy code proposals in lieu of adopting costly new regulations.

Sincerely,

Bruce Georgen

Bruce Georgen, President
Spokane Home Builders Association